



STATE OF NEW JERSEY

**FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION**

In the Matter of Loretta Monteiro,
Secretarial Assistant 2, Non-
Stenographic (PS6879EN),
Department of Military and Veterans
Affairs

Examination Appeal

CSC Docket No. 2018-3255

ISSUED: JULY 20, 2018 (SLK)

Loretta Monteiro appeals the determination of the Division of Agency Services (Agency Services) that she did not meet the experience requirements for the promotional examination for Secretarial Assistant 2, Non-Stenographic (PS6879EN), Department of Military and Veterans Affairs.

The examination at issue was announced with specific requirements that had to be met as of the February 21, 2018 closing date. The relevant requirements were four years of experience in secretarial and administrative clerical work. A total of three employees applied for the subject examination which resulted in an eligible list of one eligible with an expiration date of June 6, 2021. The subject list has not yet been certified.

Personnel records indicate that the appellant was provisionally serving in the subject title from October 2017 to the February 21, 2018 closing date, a Principal Clerk from September 2015 from October 2017, a Senior Clerk from September 2012 to September 2015, and a Clerk Typist from January 2012 to September 2012. Agency Services credited the appellant with five months of experience based on her provisional service in the subject title, but determined that she lacked three years and seven months of experience.

On appeal, the appellant asserts that she has been performing the required secretarial and administrative duties, including out-of-title duties, as a Senior Clerk, since September 2012. Further, she submits a letter from the Interment

Office Supervisor who confirms that the appellant was performing the required out-of-title duties while serving as a Senior Clerk due to operational necessity.

CONCLUSION

N.J.A.C. 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the promotional announcement by the closing date. *N.J.A.C.* 4A:4-2.6(c) provides that, except when permitted for good cause, applicants for promotional examinations with open-competitive requirements may not use experience gained as a result of out-of-title work to satisfy the requirements for admittance to the examination or for credit in the examination process.

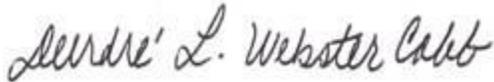
Initially, it is noted that Agency Services correctly determined that the appellant was not eligible for the subject examination. Any relevant experience the appellant gained as a Senior Clerk would be out-of-title-work. However, the Interment Office Supervisor confirmed that the appellant performed the required duties since September 2012 due to business necessity. Additionally, the list is incomplete as there is only one name on the eligible list and the appellant continues to serve provisionally in the title under test. Accordingly, good cause exists to accept the appellant's out-of-title experience, for eligibility purposes only, and admit her to the examination.

ORDER

Therefore, it is ordered that the appeal be granted and Loretta Monteiro's application be processed for prospective employment opportunities only.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 18th DAY OF JULY, 2018



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